AFFIDAVIT OF O.J. LAWAL IN SUPPORT OF PETITION FOR WRIT OF CERTIORARI

STATE OF TEXAS §
§
COUNTY OF HARRIS §

O.J. LAWAL, being duly sworn, deposes and says:

1. I am an attorney duly licensed to practice in the State of Texas. I am a member of the bar of the United States District Court, Southern District of Texas, Houston Division and one of the attorneys of record for Plaintiffs-Appellants Mr. John Ayanbadejo and Mrs. Felicia Malveaux Ayanbadejo in the District Court.
2. After the Final judgment in the District Court was rendered on or about September 15, 2009, my office received a copy of the said judgment via fax number 713-773-0699. A copy of the received copy of the said judgment via fax is attached as Exhibit "AL 1".
3. My office however did not contact Mr. John Ayanbadejo and Mrs. Felicia Malveaux Ayanbadejo timely about the receipt of the said judgment.
4. When my client Mr. Ayanbadejo eventually received notice of the Court's said decision on or about 3/29/2010, more than 21 days after

the entry of judgment, my assistant Ms. Dennis Ayala notified Mr. Ayanbadejo of the recent receipt of some Court documents.

5. Mr. Ayanbadejo came into my office to retrieve the documents recently received from the Court and in good faith asked my assistant, Ms. Dennis Ayala whether my office had received the District Court's said Final Judgment given on or about 9/15/2009, my assistant inadvertently misinformed Mr. Ayanbadejo that my office had never received any judgment given by the court on or about 9/15/2009.

6. After Mr. Ayanbadejo had submitted his applications to re-open the time for Appeal before the District Court and its eventual denial by the Court and appeal to the Fifth Circuit Court of Appeals and eventual denial by the Fifth Circuit on jurisdiction, Mr. Ayanbadejo came into my office several times, but he was unable to see me.

7. Eventually, Mr. Ayanbadejo was able to see me and I informed him that my office had received more documents from the District Court on his case than my secretary had informed him.

8. Mr. Ayanbadejo came into my office several times to retrieve the documents, but my assistant left the office at 2:30p.m., before Mr. Ayanbadejo could get to the office.

9. Eventually, on or about 10/22/2010, Mr. Ayanbadejo was able to retrieve the documents received from the District Court

from my office and included in the documents was the said final judgment given by the District Court.

10. The error of Mr. Ayanbadejo's untimely receipt of the Court's Judgment was due to my office's not notifying Mr. Ayanbadejo timely.

11. Mr. Ayanbadejo is a very hardworking person who has no criminal record and is of good character. From a perusal of the evidence submitted in his immigration case Mr. Ayanbadejo may be eligible for the immigration relief he seeks.

12. I strongly urge the Court in the interest of justice, fairness, and on constitutional grounds to grant Mr. and Mrs. Ayanbadejo the relief they seek.

13. All of the facts stated in this Affidavit are made from my own personal knowledge.

I signed this Affidavit on 10.25.10 at HOUSTON, Texas

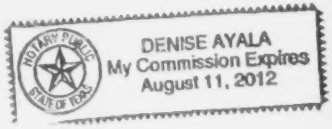
O.J. LAWAL

SUBSCRIBED AND SWORN TO BEFORE ME on October 25, 2010 at Houston Texas, as attested to by my seal and signature as set out below.

Signature Denise Ayala

Name Denise Ayala

Notary Public in and for the State of Texas



My Commission expires:

Date 8.11.2012